

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI

STEPHEN PENROSE, JAMES THOMAS,  
JOSEPH GUARDINO, and DANIEL POPE on  
behalf of themselves and all others similarly  
situated,

Plaintiffs,

vs.

BUFFALO TRACE DISTILLERY, INC., OLD  
CHARTER DISTILLERY CO., and  
SAZERAC COMPANY, INC.,

Defendants.

CASE NO. 4:17-CV-00294

**DEFENDANTS' MOTION TO TRANSFER VENUE TO THE WESTERN DISTRICT OF KENTUCKY**

Buffalo Trace Distillery, Inc., Old Charter Distillery Co., and Sazerac Company, Inc. (collectively, "Defendants") hereby move to transfer this matter to the Western District of Kentucky, pursuant to 28 U.S.C. § 1404(a). Transfer is appropriate to the Western District of Kentucky, a district in which this action could have been brought, for the convenience of the parties and witnesses, and in the interest of justice.

This motion is based on the Memorandum in Support of the Motion to Transfer, the accompanying declarations of Michelle C. Doolin and Steven Wyant and exhibits attached thereto, the papers and pleadings on file in this matter, and on such other and further matters or arguments that the Court deems appropriate.

Defendants request oral argument on this motion because it will provide the Court with a material understanding of the reasons for a transfer to the Western District of Kentucky.

WHEREFORE, Defendants request that the Court enter an Order transferring this case to the Western District of Kentucky.

Dated: April 6, 2017

Respectfully submitted,

/s/ William R. Bay

**THOMPSON COBURN LLP**

William R. Bay

(wbay@thompsoncoburn.com)

One US Bank Plaza

St. Louis, Missouri 63101

Phone: (314) 552-6008

**COOLEY LLP**

Michelle C. Doolin *pro hac vice pending*

(mdoolin@cooley.com)

Darcie A. Tilly *pro hac vice pending*

(dtilly@cooley.com)

4401 Eastgate Mall

San Diego, CA 92121

Phone: (858) 550-6000

*Attorneys for Defendants Buffalo Trace  
Distillery, Inc., Old Charter Distillery Co.,  
and Sazerac Company, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 6<sup>th</sup> day of April, 2017, a copy of the foregoing was filed electronically with the Clerk of the Court using the CM/ECF system, which in turn forwarded notification of same to all counsel of record in these proceedings.

/s/ William R. Bay